

INSTRUCTIONS AND HELP FOR 2006 STATISTICAL REPORTS

Attached please find instructions and tips for completing the 2006 statistical reports. Upon Completion, all reports should be submitted to State Court Administration at the following address:

**Division of State Court Administration
115 West Washington Street, Suite 1080
Indianapolis, Indiana 46204-3466**

SHOULD YOU HAVE ANY QUESTIONS CONCERNING ANY PORTION OF ANY REPORT, YOU ARE ENCOURAGED TO CONTACT THE DIVISION AT (317) 232-2542, OR VISIT THE COURT'S WEBSITE AT <http://www.in.gov/judiciary> (follow the links to the forms area). Please also feel welcome to contact Kris Suthers via email: ksuthers@courts.state.in.us or Sarah Shoup via email: sshoup@courts.state.in.us.

Thank you in advance for your cooperation.

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Report Instructions

I. General Provisions

The Quarterly Case Status Report (QCSR), Report on Court Revenue, and Report on Court Expenditures and Budget are designed to satisfy statutory requirements of IC 33-2.1-7-1 *et seq.* and Administrative Rules promulgated by the Indiana Supreme Court. This data is compiled and published in the annual Indiana Judicial Report by the Division of State Court Administration (the Division). Report forms in this packet include the Quarterly Case Status Report, Report on Court Expenditures and Budget, and Report on Court Revenue.

These forms should be used by each Circuit, Superior, Probate, County, City, and Town court.

A. Report Filing

All reports are to be filed at the following address:

Division of State Court Administration
115 West Washington Street, Suite 1080
Indianapolis, IN 46204-3466

Pursuant to Administrative Rule 1(B)(2), judges may require court clerks, reporters, or other officers or employees to furnish needed information, but all hard copy reports should be reviewed, approved, and signed by the judge.

Courts that have registered with the Division and obtained a password and instructions may file their QCSR information through the Internet. Courts utilizing the online QCSR are not required to file hardcopy reports throughout the year, but instead will receive a printed summary mailed from the Division for verification of numbers for the entire prior calendar year. The printed summary must be certified by the judge. More information about the online QCSR is found in Section III of these instructions.

B. Filing Deadlines

Whether filed in traditional hardcopy or online, the QCSR **must** be filed with the Division within ten (10) calendar days of the end of each quarter (Administrative Rule 1(B)(3)). The following table reflects the due dates for QCSR reports:

<u>Quarter</u>	<u>Time Period</u>	<u>Reports Due to the Division</u>
Quarter 1	January - March	April 10
Quarter 2	April - June	July 10
Quarter 3	July - September	October 10
Quarter 4	October - December	January 10

The Revenue Report and Report on Court Expenditures and Budget must be filed with the Division within twenty (20) calendar days of the end of the year, making each due on January 20. (Administrative Rule 2(B))

C. Court Information

All reports filed with the Division must contain the following information:

- Name of County,
- Name of Court,
- Court ID number,
- Name of Judge,
- Reporting Period,
- Name of Preparer,
- Contact Telephone Number,
- Preparer's e-mail, and;

- Date the report was prepared.

QCSR reports **must** also list appointed judicial officers other than the judge who serve the reporting court and an approximate amount of time in either hours or days per week that those judicial officers serve.

D. Completing the QCSR

When a case is filed in an Indiana court, it should be recorded in PART I under the appropriate case type category for the quarter in which it is filed. When that case is disposed, it should be counted as a decided case. The manner of disposition is recorded in PART II during the quarter in which the case was disposed. Multiple charges, counts, or claims arising from the same incident and handled together should receive one case number and be counted only one time under the New Filing category as well as one time under the Decided Case category (Admin. R. 1(B)(4)).

The categories appearing across the top of the form correspond to case type identifiers used in the uniform case numbering system (see Admin.R.8 for a complete listing). Once a case is shown to have entered the system under a particular category listed in PART I, it must remain in that category until it is disposed and counted in PART II.

Re-docketed cases are not to be shown as new filings in PART I. The average times assigned to each case type through the Weighted Caseload Measures system already include the time spent by judges on post-judgment matters.

E. Case Redistribution

The Quarterly Case Status Report reflects cases filed and disposed in each court. Transferred and venued cases are also recorded on the QCSR. Transferred and venued cases are counted as disposed in the appropriate category by the court of origin and are then counted as incoming cases under either the Transferred In or Venued In categories (distinguished from new filings) in the receiving court. Transferred and venued cases receive new case numbers in the receiving court.

F. Weighted Caseload

QCSR data filed with the Division is used to compute a weighted caseload measure for each trial court. The weighted caseload measure is an index of judicial resources or judicial time required to process cases filed in a court. During development of the weighted caseload system, an in-depth study was conducted to determine the average amount of judicial time required (both pre and post-judgment), to process a case in each of the various case type categories. The study also determined the average amount of time in a year that a judge would be expected to devote to strictly case-related work. Starting with a theoretical forty (40) hour week, deductions were made for vacation time, time devoted to administrative matters, continuing education, and other non-case related duties to arrive at an anticipated amount of time per year to be devoted to cases of 1,344 hours or 80,640 minutes. The weighted caseload measure of a trial court is a reflection of the total amount of judicial resources available to the court, compared to the amount of judicial resources required, on average, to process the cases filed in that court during a year. A weighted caseload measure of 1.0 indicates that the average amount of judicial time required to process all of the cases filed in a court during a year equals 1,344 hours 80,640 minutes or the amount of time anticipated to be devoted to that caseload by a single full-time judge. If that single judge court has a weighted caseload measure of 1.5, it is processing a caseload anticipated to be processed by 1.5 judicial officers. If the same court has a weighted caseload measure of 0.5, it is processing a caseload anticipated to be processed by 0.5 judicial officers.

The weighted caseload measures have been widely accepted and are used as a management tool by individual trial courts, by the Indiana Supreme Court, and by the Indiana General Assembly.

G. Report on Court Revenue

The Report on Court Revenue is an annual report due by **January 20** of each year. It is intended to

reflect fees generated through the operation of the court. All of the courts in the county may report on the same form. It is imperative, however, that each covered court and its identifying number be reflected at the top of the report.

The bulk of the information requested in this report will be available through the Clerk's office. Preparer's must ensure that all revenues are reflected on the report regardless of who specifically collects the respective fees. The form is designed to correspond with the State Board of Accounts reporting requirements for the clerks and should not be modified in any way. An accounting of monies collected through the various probation user fees should be available through the probation department and must be reflected on this report.

Courts may download this form in Excel format from the Division's website at <http://www.in.gov/judiciary/admin/forms>. This electronic form contains formulas to perform calculations automatically and speed the process of collecting and verifying data. Once completed, a reporting court should print the Excel form and send the printed hard copy to the Division.

H. Report on Court Expenditures and Budget

The Report on Court Expenditures and Budget is also an annual report due by **January 20** of each year and subject to the requirements of Admin. R. 2. It is intended to reflect the court's expenditures in the various categories during the previous year and the court's requested and approved budget for the following year. All expenditures, including those from unappropriated, mandated, and probation user fee funds, must be reflected in this report under the appropriate category. This form is also designed to reflect specific categories and should not be modified in any way.

The last portion of the report calls for specific information concerning mandated funds. Any amounts reported in this portion of the report must also be included under the specific line item for which they were expended and included in the total.

Courts may download this form in Excel format from the Division's website at <http://www.in.gov/judiciary/admin/forms>. This form contains formulas to perform calculations automatically and speed the process of collecting and verifying data. Once completed, a reporting court should print the Excel form and send the printed hard copy to the Division.

I. Help / Questions

General information suitable for public access may be found at the State Court Administration website (<http://www.in.gov/judiciary>). Copies of all forms and specific instructions may be at the Division's website at <http://www.in.gov/judiciary/admin/forms>. Questions may also be directed to Kris Suthers or Sarah Shoup at the Division office by telephone at **(317) 232-2542**, or by e-mail to ksuthers@courts.state.in.us or to sshoup@courts.state.in.us

II. THE QCSR

A. Numbered Category Descriptions

Criminal

Multiple Counts, Number of Defendants, Multiple Charges, and Lesser Convictions

Each defendant is reflected as a single case (Administrative Rule 1(B)(4)). When a person is charged contemporaneously with multiple offenses, only one new filing will be reported in the category of the most serious charge against that defendant. The case will remain in that category even if charges are later amended or if the defendant is convicted of a lesser offense. If multiple individuals are jointly charged with one or more offenses, the report should reflect the number of cases filed as equal to the number of individuals charged. Case disposition may vary as to each defendant. A very limited exception to this rule may apply if a previously filed case is amended to include a charge of Murder; however, courts wishing to explore this limited exception should contact the Division at the contact number or e-mail listed above. Statutory references provided below for case categories are for illustrative purposes only; at the time of case filing the prosecutor's office should provide charging information that includes the category of the charged offenses.

1. **MR - Murder**

Pursuant to IC 35-42-1-1, all murder cases filed after 1/1/2002, will be reported under the MR category. Should the state decide to seek either the death penalty or life without parole, that information should be recorded in Part IV on the back of the QCSR form. Murder convictions are characterized by a general sentence of fifty-five (55) years with not more than ten years added for aggravating circumstances and not more than ten years subtracted for mitigating circumstances. The defendant may not be fined more than ten thousand (\$10,000) dollars.

2. **CF – Criminal Felony**

All Class A, B, and C felony cases filed prior to 12/31/2001 are reported under the CF category. Although no new filings are permitted for this category, existing cases with a CF designation are still disposed in this category.

3. **FA – Class A Felony**

All Class A felonies filed after 1/1/2002, will be reported under the FA category. These cases are characterized by a general sentence of thirty (30) years, with no more than twenty years added for aggravating circumstances and no more than ten years subtracted for mitigating circumstances. The defendant may also be fined not more than ten thousand (\$10,000) dollars. Some examples of these cases include: Voluntary Manslaughter with a deadly weapon (IC. 35-42-1-2.5), and Kidnapping (IC. 35-42-3-2).

4. **FB - Class B Felony**

All Class B felonies filed after 1/1/2002, will be reported under the FB category. These cases are characterized by a general sentence of ten (10) years, with not more than ten years added for aggravating circumstances and not more than four years subtracted for mitigating circumstances. The defendant may not be fined more than ten thousand (\$10,000) dollars. Some examples of these cases may include: Causing Suicide (IC. 35-42-1-2), Voluntary Manslaughter (IC. 35-42-1-3); Aggravated Battery (IC 35-42-2-1.5), Rape (IC. 35-42-4-1), Criminal Deviate Conduct (IC 35-42-4-2), Child Molesting (IC. 35-42-4-3), Carjacking (IC 35-42-5-2), and Arson (IC 35-431-1)

5. **FC – Class C Felony**

All Class C felonies filed after 1/1/2002, will be reported under the FC category. These cases are characterized by a general sentence of four (4) years, with not more than four years added for aggravating circumstances and not more than two years subtracted for mitigating circumstances. The defendant may not be fined more than ten thousand (\$10,000) dollars. Some examples of these cases may include: Assisting Suicide (IC. 35-42-1-2.5), Involuntary Manslaughter (IC. 35-42-1-4), Reckless Homicide (IC. 35-42-1-5), Overpass Mischief (IC. 35-42-2-5), Robbery (IC. 35-42-5-1), Burglary (IC. 35-43-2-1), and Forgery (IC. 35-43-5-2).

6. **FD – Class D Felony (with previous DF's combined)**

All Class D felonies filed after 1/1/2002, will be reported under the FD category. These cases are characterized by a general minimum sentence of one and one-half (1 1/2) year, with not more than one and one-half year added for aggravating circumstances and not more than one year subtracted for mitigating circumstances. The defendant may not be fined more than ten thousand (\$10,000) dollars. Some examples of these cases may include: Involuntary manslaughter with a vehicle (IC. 35-42-1-4), Criminal Confinement (IC. 35-42-3-3), Interference with Custody (IC. 35-42-3-4), Child Exploitation (IC. 35-42-4-4), Sexual Battery (IC. 35-42-4-8), Computer Tampering (IC. 35-43-1-4), Residential Entry (IC. 35-43-2-1.5), Theft/Receiving Stolen Property (IC. 35-43-4-2), and Fraud (IC. 35-43-5-4)

7. **PC – Post-Conviction Relief**

All Petitions filed for post-conviction relief.

8. **CM - Criminal Misdemeanor**

These cases are characterized by a suspendable sentence that ranges from not more than one (1) year and a five thousand (\$5,000) dollar fine for a Class A misdemeanor to not more than sixty (60) days and a five hundred (\$500) dollar fine for a Class C misdemeanor. Some examples of these cases may include: Battery (Class B); Criminal Trespass (Class A), Computer Trespass (Class A),

Criminal Conversion (Class A), Vending Machine Vandalism (Class B), Deception (Class A), Check Deception (Class A), and Harassment (Class B).

9. **MC - Miscellaneous Criminal**

Criminal matters not classifiable as Felony or Misdemeanor, and which are not part of an ongoing proceeding. Illustrative examples may include probable cause hearings in a case not yet filed, petition for appointment of a special prosecutor, extradition hearings and proceedings involving forfeiture of property used in a crime. When a **search warrant** is issued before charges are filed, issue an MC case number for the search warrant and count as disposed under the bench disposition category. If charges are filed, the criminal case should then be given the appropriate case type.

10. **IF - Infractions**

This category includes all infractions. As with other criminal cases and ordinance violations, multiple offenses (i.e. multiple tickets or citations issued to the same individual or arising from the same circumstances), result in only one case filing, even if the various offenses differ in severity or in sanction.

11. **OV / OE - Ordinance Violations**

Violations of local ordinances are in this category. Some ordinance violations are filed as “OE”, excluded ordinances. These are cases which can be paid through a municipal violations bureau but in which the defendant has requested a court hearing. The case number of such ordinance violations is given a different designation for court cost collection purposes. However for the purposes of this report, all ordinance violations filed with the court should be reported in this category. As with other criminal cases and infractions, multiple offenses (i.e. multiple tickets or citations issued to the same individual or arising from the same circumstances), result in only one case filing, even if the various offenses differ in severity or in sanction.

Juvenile

12. **JC - Juvenile CHINS**

This category will reflect those cases before the court where a child is alleged to be a child in need of services as defined by IC. 31-34-1-1 *et. seq.* The case is counted as a “new filing” when a petition for detention hearing or when a request for authority to file a petition alleging that a child is in need of services is filed. Each child should be given a separate case number. Some examples include situations in which the child needs care, treatment or rehabilitation that the child is not receiving and is unlikely to receive without the intervention of the court and which includes circumstances where: the child’s physical or mental condition is seriously impaired or seriously endangered as a result of not being supplied with necessary food, clothing, shelter, medical care, education or supervision (IC. 31-34-1-1); the child’s physical or mental health is seriously endangered due to injury by the act or omission of a parent/guardian/custodian (IC. 31-34-1-2); the child is victim of a sex offense (IC. 31-34-1-3); the child is allowed to perform in an obscene performance (IC. 31-34-1-4); or the child commits a sex offense (IC. 31-34-1-5). School truancy cases which result in an informal adjustment should generally be filed under the Juvenile Miscellaneous category, and should generally not be reported in this category unless the truancy poses a serious endangerment to the child as contemplated by the statutory framework found in IC. 31-34-1-1 *et. seq.* Truancy cases which are issued JC case numbers are subject to the same notice requirements, hearing requirements, periodic review requirements, and records retention requirements required by statute and court rule.

13. **JD - Juvenile Delinquency**

This category reflects cases where a child is alleged to be delinquent. The case is recorded as a “new filing” when a petition for detention hearing or a petition alleging delinquency is filed. For illustrative purposes, a child is delinquent if before becoming eighteen (18) years of age, the child commits an act that would be an offense if committed by an adult (IC. 31-37-1-2).

14. **JS - Juvenile Status**

This category reflects cases where a child is charged with committing an act that would **not** be a crime if committed by an adult. For illustrative purposes, examples of status offenses may include situations where a child commits a delinquent act and needs care, treatment or rehabilitation that the child is not receiving or is unlikely to accept voluntarily without the coercive intervention of the court.

Delinquent acts in this circumstance may include leaving home without reasonable cause and without permission (IC. 31-37-2-2), failing to attend school in violation of compulsory school attendance (IC. 31-37-2-3), being disobedient by habitually disobeying the reasonable and lawful commands of a parent/guardian/custodian (IC. 31-37-2-4) or violating curfew (IC. 31-37-2-5).

15. **JP - Juvenile Paternity**

Paternity actions filed by any party, including the prosecutor. Each child should receive a separate case number. A **support action pursuant to a paternity affidavit** would receive a JP classification.

16. **JM - Juvenile Miscellaneous**

Juvenile matters not reflected in other categories including court approval of informal adjustments. If an informal adjustment (JM) is shown filed and the terms are later violated and a delinquency petition is filed, the JM should be shown disposed as closed and a JD (or if appropriate, a JC) case is opened as a new filing. School truancy cases should be filed in this category if the case is handled as an informal adjustment, otherwise if a petition alleging serious endangerment of the child's mental or physical condition is filed, the truancy case may be filed as a JC case.

17. **JT - Termination of Parental Rights**

All proceedings for termination of parental rights must be given a JT cause number and docketed separately. State ex.rel. Gosnell v. Cass Circuit Court 577 N.E.2d 957 (1991 Ind). In termination of parental rights cases involving multiple children, a case number should be assigned to each child.

Civil

18. **PL - Civil Plenary**

All Civil Plenary cases filed after 1/1/2002, will be reported under the PL category. The PL category is used for any civil case not easily categorized in a more specific civil category. For illustrative purposes, these cases may generally be more complex cases that are not centered on a mortgage foreclosure or the collection of an outstanding debt.

19. **CP – Civil Plenary cases filed before 1/1/2002**

The CP designation is no longer used to report new filings. However, all cases designated as CP before 1/1/2002, will remain as CP cases for venue, transfer and disposition reporting.

20. **MF – Mortgage Foreclosures**

All mortgage foreclosure cases filed after 1/1/2002, will be reported under the MF category.

21. **CC – Civil Collection**

All Civil Collections filed after 1/1/2002, will be reported under the CC category, and for illustrative purposes may include the following: proceedings supplemental as an independent action; suits on notes and accounts; general collection suits; landlord and tenant suits for collection; ejectment; and tax warrants. Cases which are filed on the small claims docket of a court or in the small claims division of a multi-division court shall continue to be issued an SC case designation.

22. **CT - Civil Tort**

All civil cases founded in tort and filed on the regular civil docket of the court are counted in this category. Torts that are filed on the small claims docket of a court in the small claims division of a multi-division court shall continue to be issued an SC case designation.

23. **SC - Small Claims**

Cases filed on the small claims docket of the Circuit, Superior, or County courts as established by IC. 33-28-3-2 *et seq.*, IC. 33-29-2-2 *et seq.*, IC. 33-30-5-1 & 2, and Small Claims Rule 1. While City and Town courts may have cases that fall within the monetary limits of small claims jurisdiction, those cases are not defined as small claims by the statutes cited above and must be counted as PL – Plenary or CC – Civil Collections cases depending upon the nature of the action.

24. **DR - Domestic Relations**

This category includes petitions for dissolution of marriage, petitions for legal separation and petitions to establish child support. When a petition for legal separation is filed, the case is assigned

a DR number. If the case proceeds to dissolution, it will not receive a new number, but will retain the original number assigned. Counter petitions, citations, and petitions to modify are not assigned new cause numbers and are not to be reported as separate cases, unless no prior case exists. In each of these situations, subsequent filings should be shown filed under the original cause number.

25. **RS - Reciprocal Support**

This category should include reciprocal enforcement of child support (UIFSA) and petitions for modification of support or custody and/or support under the Uniform Child Custody Jurisdiction Act.

26. **MH - Mental Health**

This category includes petitions for emergency detention, for temporary commitment and for regular commitment. A report following emergency detention is shown filed under the cause number assigned to the petition for emergency detention and is not assigned a new number. Likewise, treatment plans and periodic reports are filed under the original cause number. These matters are reported as disposed when the court enters an order terminating the commitment or when the court receives a notice of discharge from a mental health facility.

27. **AD - Adoption**

This category reflects a “new filing” when a petition for adoption is filed and is “disposed” when the court enters a final decree or where the petition is dismissed. For illustrative purposes, this category includes petitions for adoption as well as petitions for release of adoption information.

28. **AH - Adoption History Petition**

Prior to 1/1/2002 this category included petitions for release of adoption information filed pursuant to IC. 31-19-24-2 et seq. The AH designation is no longer used to report new filings; however, any existing AH cases should retain the AH designation for venue, transfer, and dispositional reporting.

29. **EU/ES - Estates**

This category includes all cases involving administration of estates, including petitions to probate estates and for petitions seeking supervised or unsupervised administration of an estate. A will contest is to be treated as part of the estate proceeding and is not assigned a new number.

30. **GU - Guardianship**

A petition for appointment of guardian is reported as a new filing under this category. The case is reported disposed as “closed” when the court enters an order closing the guardianship.

31. **TR - Trusts**

A petition to docket a trust is considered a new filing under this category.

32. **PO - Protective Orders**

Petitions for protective orders, not filed in another proceeding are reported under this category. A majority of these petitions are filed pursuant to IC. 34-4-5.1-2.3(a).

33. **MI – Miscellaneous**

Any civil matter which is unrelated to other pending litigation and which cannot be classified into any of the foregoing categories should be reported here. For illustrative purposes, matters that may receive an MI case number include the following:

- a petition for **adult protective services** (if filed by the children of the adult or another organization the judge may waive the filing fee);
- a **compromise wrongful death claim** may be either an GU (if the case involves a minor or the amount in controversy exceeds \$3,000) otherwise issue an MI;
- a proceeding to **reinstate a driver’s license** which has been administratively suspended (regular civil filing fee applies);
- a **petition for emancipation**;
- an action for **forfeiture of property** filed separately from an ongoing proceeding;
- an action for **return of property used in a crime** should be entered in the original criminal case, however, if the case is closed, an MI designation is assigned (no fee charged);

- a **custody petition** or a **visitation petition filed by grandparents** (regular filing fee applies);
- a **Habeas Corpus** cases from DOC;
- a **petition to pay inheritance tax** (but do not include on the statistical report);
- **foreign judgments** (a \$3 fee is assessed and they are not included in the QCSR);
- **proceedings supplemental to enforce a foreign judgment** (counted on the QCSR and regular filing fees apply);
- **name change petitions, appointments of appraisers and marriage waivers** (all are charged a regular filing fee, but the court may waive the fee);
- a **medical tort claim** that is still before the medical review board and not yet before the court but which has corollary issues requiring judicial action (if a tort case is later filed, it should receive a CT case number);
- a **petition for support without paternity claims** (with or without public assistance issues);
- post-judgment petitions for **modification of custody** filed in a court other than where the divorce was granted or where paternity was established if the petition involved solely custody but not support (if it were the same court that originally granted the divorce or established paternity, the case would be merely re-docketed and would not count as a new filing)

34. **CB – Court Business**

Court orders referring to non-case matters such as the appointment of a judge pro tem, drawing the jury, etc.

B. Lettered Category - Case Types

Part I: Cases Before the Court

This section of the QCSR is a compilation of the various ways cases are available (before the court) for disposition, during the reporting period.

Line A. Previously Pending

Cases before the court on the first day of the reporting period are entered on this line. The number of cases previously pending on the first day of a reporting period should be equal to the number of cases pending on the last day of the immediately preceding reporting period. Thus, in each category of cases, the number of cases entered on Line A of the current quarterly report should be identical to the number entered on Line S of the immediately preceding QCSR. If mistakes were made in prior reports those errors are repeated when one mechanically records numbers on Line A identical to those entered on Line S, the previous quarter. Therefore, each court is strongly encouraged to conduct an actual inventory (hand count) of cases periodically and especially at the end of the calendar year. Any errors may be corrected on Line A and discrepancies with the immediately preceding QCSR (Line S) must be noted on part VI on the back of the form.

Line B. New Filings

The number of new case filings during the reporting period should be entered for each case type category.

Line C. Venued In

Report here all cases that for any reason come from **another** county to the reporting court during the reporting period. These cases are given a new cause number in the receiving court and are shown disposed as "Venued Out" by the sending court.

Line D. Transferred In

Report here all cases that were originally filed in another court in the **same** county, but were later transferred to the reporting court. These cases should be assigned a new cause number in the receiving court and are shown disposed as "Transferred Out" by the sending court. In transferring a case from small claims (SC) to civil plenary (PL), the SC case is shown disposed as "Transferred Out" and the new (PL) case should be reported as "Transferred In." Cases moved between courts for caseload reallocation are frequently shown in this category by the receiving court.

Line E. Total Before the Court

This line is calculated by adding New Filings, Venued In and Transferred IN lines in Part I and represents the total cases before the court in the reporting period.

Part II - Disposed Cases

This section of the QCSR serves to record the number of cases that, (Lines F thru O, Q and R) are disposed of by the court during the reporting period for various reasons.

Line F - By Jury Trial

A jury trial is deemed to have occurred after a jury has been sworn in and evidence is entered or a witness has been sworn.

Line G - By Bench Trial

This line is for recording cases disposed of by bench trial. For reporting purposes, a bench trial occurs after the first witness has been sworn to testify in a trial to the court without a jury.

Line H - By Bench Disposition

Cases that are disposed by final judicial determination of an issue(s), without swearing witnesses, are reported disposed by Bench Disposition. Actions that may fall into this category include: summary judgment, judgment on the evidence, approval of informal adjustments (juvenile), and approval of agreed judgments submitted by the parties.

Line I - Dismissed

Dispositions should be recorded where a case is dismissed by the court on its own motion, upon motion of a party or by agreement of the parties.

Line J - Default

Report default judgments entered in civil cases.

Line K – Deferred/Diverted

The Deferred/Diverted lettered category was added in January 2002. All cases in which the prosecuting attorney has decided to allow the defendant to enter a deferral or diversion program rather than proceed with a trial should be counted here. For purposes of the QCSR, a case is disposed in this category when the defendant is given the diversion option. The entry of the disposal in this situation does not legally dismiss the case, which the prosecutor may decide to pursue if the defendant does not complete the terms of the diversion. If the prosecutor resumes prosecution, the court should redocket the case and proceed. The objective of this disposal code is to prevent courts from carrying a large pending caseload.

Line L - Guilty Plea/Admission

Report dispositions where a defendant has plead guilty to a criminal offense or has admitted commission of an infraction or ordinance violation. Infraction and ordinance violation cases should only be reported here if the case actually comes before the court for decision. If an admission is made by mail or before a clerk, the infraction/ordinance violation should be reported as disposed under the Violations Bureau category.

Line M - Violations Bureau

This includes misdemeanors, infractions, or ordinance violations shown filed in the court but are disposed through a traffic violations bureau. When a defendant makes an admission, pleads guilty, or pays a fine or judgment through the bureau, clerk, or mail the case should be counted in this category. Defendants who appear in court and offer a plea/admission should be counted as disposed through the Guilty Plea/Admission category.

Line N - Closed

This disposition category is used to report the closing of estates, trusts and guardianship proceedings.

Line O - Failure to Appear/Failure to Pay (FTA/FTP)

When a defendant fails to appear in an infraction or ordinance violation case, the case technically remains open until payment is made or the case is dismissed. This results in a substantial backlog of cases that are essentially dormant. For administrative reporting purposes the case should be shown disposed when the defendant fails to appear or fails to pay. However, once an infraction or

ordinance violation case is reported as disposed for failure to appear/pay it will not be reported again even if a defendant later appears, pays or proceeds to trial

Line P - Other

Disposed cases reported in this category are those which leave the court for a reason other than those listed in Part II, lines F through N.

Line Q - Total Disposed

This line reflects the total cases that have been reported in Part II as disposed or otherwise leaving the system. A total should be indicated for each case type category (1 through 26) in which there are cases reported as disposed in Part II. The total of disposed cases reported on this line should never be higher than the "Total Cases Before the Court" reported on Line E in Part I.

Line R - Venued Out

Cases which have been filed in a court but are moved to **another** county for any reason should be reflected in this category.

Line S - Transferred Out

Cases which are transferred from one court to another within the **same** county, or from one court docket to another (such as a move from small claims docket to the civil plenary docket), should be recorded here. In the event a motion for change of venue from the judge results in a transfer of the case to another court in the same county, the case is also counted in this category. Cases transferred under local caseload reallocation plans are frequently recorded here by the sending court.

Part III: Cases Now Pending

Line T - Total

This line reflects all cases still before the court at the end of the reporting period. It is derived by subtracting the totals on Line Q, Line R, and Line S from the totals on Line E, with the result entered on Line T. The number of pending cases shown at the end of the reporting period on Line T, in every case type category, should be identical to the number of pending cases shown at the beginning of the next reporting period in each respective case type category.

Line U – Service by Reporting Judge for Other Courts

This line should reflect the number of cases in which the reporting judge accepts jurisdiction for special judge service for other courts. The case should only be counted once when the reporting judge accepts jurisdiction, and not each time the reporting judge works on that specific case.

Line V – Service by Other Special Judge in Reporting Court

This line should reflect the number of cases in which a judge from another court accepts jurisdiction over a case as special judge from the reporting court. The case should only be counted once when the special judge accepts jurisdiction.

Line W – Pro Se Litigants

A case should be counted as a pro se case if any party has proceeded without attorney representation at any point in the case. A case should only be counted once, however, even if many parties proceed pro se, or if the status of the litigants changes one or more times during the course of the case. Count a criminal or juvenile case as pro se if, after the hearing in which the defendant is offered an attorney, the defendant refuses one and acts on his/her own behalf thereafter. For a civil case, determine pro se status starting from the moment the complaint or petition is filed. If a plaintiff files a civil case without the assistance of an attorney, count that case as pro se. Litigants that default should not be counted as pro se, since no information about representation was obtained. A case may be counted pro se at any time the court believes at least one party is acting on their behalf without the assistance of counsel. However, each case may be counted a maximum of one time as pro se in the life of the case; and that should be counted in the quarter that the Court determines a litigant's pro se status. Courts may look at appearance forms, filings (if a person files something or appears without an attorney), or any other factor.

Line X – Cases Referred to ADR

This line is used to track and report on the number of cases that are referred to Alternative Dispute Resolution. A case should only be counted one time in this category during the entire existence of the case. A case should be counted in the quarter that the court refers the case. This is not a disposition category.

Part IV. Additional Case Information

Item 1: This item should be the number of cases in which the State has requested the death penalty or a sentence of life imprisonment without parole.

Item 2: The three items track and report cases that the reporting judge/court has under advisement as well as the number of cases which have a request for special findings of fact.

Item 3: This tracks and reports the number of Indigent Counsel Appointments made by the court in the specified case categories. This includes all appointments of attorneys that are paid at public expense.

Item 4: This tracks and reports the number of cases in which court interpreter services were used and paid for by the county. Each case should be counted once and the language should be listed in the blanks provided.

Item 5: This tracks and reports the number of GAL/CASA Appointments made by the court in specified case categories. You may wish to confirm the number of appointments with your county GAL/CASA program.

Part V. Alternate Judge Time

Item 1: This item is intended to reflect service by other judicial officers that are not specifically assigned to the reporting court. Judicial officers that regularly serve the court (magistrates, commissioners, and referees) should record their time allocation on the front of the QCSR.

Item 2: This item is intended to reflect the reporting judges service to other courts under any local caseload plans. This category specifically tracks and reports service in blocks of time rather than individual case transfers.

III. Online Web Filing of QCSR

The QCSR may now be completed online and submitted electronically via the Division's website. Please read the following instructions before beginning the entry process. It is recommended that you use Internet Explorer 5+ or Netscape 6.2+ in order for the application to function properly. You will need a password for your court to access the online application, which may be obtained from the Division.

- 1) The website is **www.in.gov/judiciary/admin** with a direct link entitled "QCSR Online" on the right hand side of the page;
- 2) The initial screen is the sign-on which will ask for the year, court ID, quarter to enter, and your court's password;
- 3) The standard QCSR online has been split into five separate pages of data to provide optimal performance. Page 1 is criminal, page 2 is juvenile, pages 3 and 4 are civil and page 5 is the Additional Case Information and Alternate Judge Time found on the back of the traditional form;
- 4) Information is submitted "real-time" to the Division's database once the "submit" button on each page is pressed. It is recommended that you "submit" the data often as you are working through the application as the application will time out after three (3) minutes.

This application will automatically carry over previously pending numbers for the court and will also do the calculations needed on the form. If an error occurs, an error message stating the specific error will be displayed.

Passwords will be assigned by the Division. If you do not have your password or if you forget your password, contact Sarah Shoup at sshoup@courts.state.in.us or (317) 232-2542.

IV. Changing Previously Pending Numbers (Hand counts)

Increasingly, data reported for previously pending cases or for the total cases now pending (hand counts) changes from quarter to quarter. If you notice this on your court's reports, please determine the cause, i.e., was a case disposed late, etc.

When this occurs and you feel that the numbers you now have are accurate, you must be prepared to work "backwards" through all previous quarters using the following steps:

- 1) Take the previously pending from the current quarter being worked and put those numbers onto Line T of the previous quarter;
- 2) Take the numbers on Line T and add in Line R, S and Q for a new Line E;
- 3) Take the new number from Line E and subtract Line B, C, and D for a new Line A "Previously Pending";
- 4) Start over with "new previously pending" to the next previous quarter and so on.

These steps must be taken for each previous quarter until all prior quarters have been corrected.